O.W. 51

19 35

Department of L.R. Dept

OFFICE B.D. Office

STATION Nasik

Rs. No.	
Dated	5-7-35

C 551/35

Pages in the file

(SUBJECT.)

Encroachment (South Kanara) Mangalore ...
Konaje village - L.R. Collector - Explanation -
Convicted - With or without amount loss - Com-
pensation - Correspondence records.

C - 5517

Ref. 3545-A2-34. South Kanara Collector's Office,

Mangalore, 30th July 1934.

From

E. M. Gawne, Esquire, I.C.S.,

Collector of South Kanara.

To

The Secretary to the Board,

and Revenue & Settlement,

M a d r a s.

Sir,

(B.K. Kanara)

Embezzlement - Mangalore Taluk - Konaje village - Potail - Land Revenue collections - Rs.270.3.6. - Report.

******

Rs 298-13-6 (page 13 c/f)

The potail of Konaje village is reported to have misappropriated a sum of Rs.270-3-6 being the Land Revenue collections made by him in June 1934. The Police have been informed of this and the matter is under investigation. As the potail was reported to be absconding, the Tahsildar proceeded to the village to see whether the amount could be recovered from him or his relations. He now reports that after much difficulty he secured the presence of the potail in one of his relation's house in Kurnad village, but could not collect any amount from him. He, however, adds that one of the potail's relations has promised to make good this amount and has promised to submit a further report in the matter, as soon as he succeeds in collecting the amount. A further report will be submitted on receipt of the ------ Tahsildar's report.

Your obedient servant,

Bradhavadao
For Collector. 30/7.

Copy to the Accountant-General, Madras.

30.7.34

S
TA
(Mad Agricl)
5/9/34

5/9/34

(Directed as under Secretary's file)

C 5517/34 — Q. L. Cattle of
A. do Port —

Ref C 5517-34-I.D. 4. 8. 34

The Board awaits the Collr's further
report on the subject.

Issue
4.8.34
2/8/34
2.8.34

DESPATCHED
6 AUG 1934

2W
3/8

S.
AW
4.8.

To

The Collr. of South Kanara.

26/8 & the Dy. Fy. & Port R.
Asst. Secy.

C-6837/
C.F. 98. 5517/n.

DEPARTMENT.

I REMINDER. *Branch.* REPLY.

SECY. 13 SEP 1934

To THE Board of Revenue, (L. Rte) To THE

BOARD 13 SEP 1934

The undersigned ~~has the honour to invite~~ is directed to invite ~~invites~~ attention to the communication noted in the margin and to request that ~~this reminder may be returned at once with~~ the further report may be expedited information as to—

(1) the stage at which the matter now is,

(2) the date by which a reply may be expected, and

(3) the circumstances which have caused the delay.

2. ~~It is requested that the reply to this reminder may be sent not later than~~

BS Dy. No. C. 55-57-34-1 dated 4-8-34

Office Secrett. } Signature. [signature]

Station Fort St George } Designation. Asstt Secy to Govt

Dated 10 Septr 34 } Rev Deptt

SUBJECT 879/34

Encumbrement - (S. Kanara) - Mangalore taluk - Konaje village - Potail - Land revenue collection - Report

Cuts

DRAFT FOR APPROVAL.

Date | Initials.

When received for fair copying ..

When copied .. 17/9/34

When examined..

When signed ..

When despatched. DESPATCHED 17 SEP 1934

SUBJECT:— Embezzlement (South Kanara) Mangalore Rc - Konaje Village - Postal - LR collections - further report awaited.

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

Rd 15/9/34 READ ALSO:—

No. _____ From the P3 & C 6786/32 - Q to Collr A to others, No. _____, dated _____ 19____.

" _____ " _____ " _____ " _____ 19____.

" _____ " _____ " _____ " _____ 19____.

~~Order~~ ~~Ms.~~ ~~Resolution~~ ~~Rout.~~ ~~No.~~ _____, ~~dated~~ Rc C 5517/32. 2 d. 15-9-32.

The Board await the collr's further report regarding the criminal & departmental action against the postal, as well as the recovery of the amount (Rs 286-12-6) embezzled.

15.9.34

14/9/34

The Collr of South Kanara 14.9.34

Copy to the Secy to Govt R.D

A.P. (Instructions)

14/9

17/9

15/9

(7908) 5517/34

BOARD OF REVENUE
MADRAS
24 OCT 1934
LAND REVENUE AND SETTLEMENT

Revenue DEPARTMENT. C.F 98.

REMINDER. ____ Branch. **REPLY.**

To The Board of Revenue, (LR&S)

To The _____

The undersigned ~~has the honour to invite~~ is directed to invite ~~invites~~ attention to the communication noted in the margin and to request that ~~this reminder may be returned at once with information as to~~—

(1) the stage at which the matter now is,
(2) the date by which a reply may be expected, and
(3) the circumstances which have caused the delay.

~~2. It is requested that the reply to this reminder may be sent not later than~~

Bdc Rf No. C. 5517/34.2, dated 15.9.34

the further report may be expedited

To IA.

2. The collr has been reminded on 15-10-34 & will be reminded again on 30.10.34 if no reply is rec^d

LO 25/10

Office Rev. Sectt.
Station Fort St George,
Dated 22 October 1934

Signature. B Thomas Sreenivasan
Designation Asstt Secy to Govt.

25/10/34.

C 8701/34 Rep & for R.D.

SUBJECT.

Encroachment - (S. Kanara) - Mangalore taluk - Konaje village - Potail - Land Revenue - collection -

Rev Sectt 25.10.34

9/X/34

Ref.C.No. 3545-A2-34 South Kanara Collector's Office,
Mangalore, dated 24th. Novr.1934.

From

E. M. Gawne, Esquire, I.C.S.,
Collector of South Kanara.

(8835) 5517/34.

The Secretary to the Board,
Land Revenue & Settlement,
M a d r a s.

Sir,

Embezzlement - (South Kanara) - Mangalore Taluk - Konaje village - Potail - Land Revenue collections - Further report submitted.

P7 c/ Refce: Board's Ref.C.No. 5517/34-2 dated 15-9-34.

The property comprised in holdings Nos.6 and 70 of Konaje village which stands registered in the name of the potail was attached and notified for sale on 22-9-34. But soon after the issue of the sale notice an objection petition was filed before the Tahsildar of Mangalore by one Bantalva, potail of Phajir village protesting against the sale of the property in question. Enquiry held on the objection petition showed that the property comprised in the two holdings stood mortgaged to the petitioner's ancestors ever since 1878, that the property was purchased by the petitioner and 5 other joint plaintiffs in Court auction on 28-3-34 for Rs. 2900/- in pursuance of a decree obtained by them in O.S.No.86/32 on the file of the Subordinate Judge, Mangalore, against the potail Krishna Bhatta and 9 others for Rs. 5063-1-10 and that a sum of Rs. 2163-1-10 still remains to be realised from the respondents in satisfaction of the decree in question. The property also appears to have been taken possession of by the petitioner Bantalva on 5-9-34 as per delivery receipt in R.E.P. No.302/1934. The proceedings instituted for the sale of the property have therefore been dropped by the Tahsildar.

2. A sum of Rs. 5-4-0 due in respect of holding No.70

also forms portion of the amount embezzled by the potail, but it has been voluntarily credited to the Treasury by the petitioner Bantalva. Thus the net amount embezzled by the potail works up to Rs. 281-9-6. The Tahsildar --- reports that there is no chance of recovering this amount from the potail. I have called for a further report from the Revenue Divisional Officer why the local officers did not report about the insolvency of the potail, if they knew that he was practically insolvent before he misappropriated the Government money. I shall submit a further report on receipt of the Revenue Divisional Officer's report in the matter.

3. The potail has since been dismissed from servic and a charge sheet has also been laid against him by the Police on 15-10-1934.

Your obedient servant,

Collector.

(Docket as on previous page)

C 8835/34 — Q L otte
A L otter.

Ref C 5517.34.3 dt. 1.12.34.

The Board awaits the early receipt of the reports promised in this letter read above

To

The Hon'ble Minister for Revenue
The Secy to Govt R.D.
Copy to the Addl Secy (Transferred)

DESPATCHED
1 - DEC 1934

C (16) 5517/4.

Revenue Department.

REMINDER. _____ *Branch.* **REPLY**

To The Board of Revenue, (LRS.)

To The BOARD OF REVENUE, MADRAS, 9-JAN 1935, LAND REVENUE AND SETTLEMENT.

The undersigned ~~has the honour to invite~~ is directed to invite ~~invites~~ attention to the communication noted in the margin and to request that ~~this reminder may be returned at once with information as to~~

Ref No. C-5517/343, dated 1.12.34

~~(1) the stage at which the matter now~~ is,

~~(2) the date by which a reply may~~ be ~~expected, and~~

~~(3) the circumstances which have caused the delay.~~

~~3. It is requested that the reply to this reminder may be sent not later than~~

To IA.

Filed.

2. The case has been reminded today & will be reminded again on 24.1 if req. EW 11/1

Office Rev. Secty:— Signature.

Station Fort St George, Assistant to Govt, Designation.

Dated 5 January 35. Dy. Sec. Rev. Deptt 4.1.35

SUBJECT.

Encouragement - (S. Kanara) - Mangalore Club - Races - Rev - Coll. - L.R. collections.

Cr 9/1/35. 10.1.35

Re Rly C 1653/35 to Post R.D.

Re Rly C 1751/35 to R.D. Cr 8/2/35

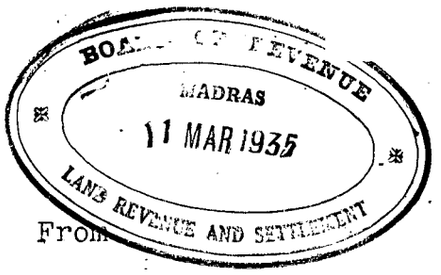
Cr 9/2/35

DE. 9 FEB 1935

Ref. C. No. 3545-A2--34.

(811)

5517/34



South Kanara Collector's Office,

Mangalore, dated 7th March 1935

From

E. M. Gawne, Esq, I.C.S.,

Collector of South Kanara.

To

The Secretary to the Board,

Land Revenue & Settlement,

M a d r a s.

S i r

Embezzlement-- (South Kanara)--Mangalore Taluk--Konaje village--Potail Krishna Bhatta--L. R. collections--Further report submitted.

P12 y Ref:- Board's Ref. C. No. 5517/34-3 dated 1st December 1934.

The amount embezzled by the ex-Potail Krishna Bhatta was collected by him in the village between 31st May 1934 and 14th July 1934. The due date as fixed by the Tahsildar for remitting L. R. collections of the village is the 15th of each of the kist months of March, April and May. The due dates for remitting L. R. collections are enforced only during the three kist months and after the kist months the potails are ordered to send their remittances as they are collected. In March and May 1934 the potail had sent the remittance on the 17th, while his remittance for April 1934 was received in the Taluk office on the 18th. Besides these he had sent 9 other remittances on the dates noted in the margin during the kist months. He had also sent in the first week of June 2

	Rs.	A.	P.
22.3.34 ...	311	3	0
28.3.34 ...	380	14	6
" ...	41	2	0
31.3.34 ...	48	1	0
6.4.34 ...	116	0	6
10.4.34 ...	132	0	0

	Rs.	A.	P.
28.4.1934	172	7	2
9.5.1934	216	9	0
26.5.1934	208	14	8

remittances of Rs. 150-7-4 and Rs.5-1-0 on 5.6.34 and 6.6.34 respectively. The Tahsildar reports that, as no remittance was received from the Potail from 7.6.34 to 12.6.34 , a charge was framed against him on 13.6.34 for keeping a large uncollected balance of land revenue in the village. The Potail having failed to appear in the Taluk office on 19.6.34 to answer the charge, a punishment roll was submitted against him to the Revenue Divisional Officer recommending his suspension for six months. Though the Potail had deliberately failed to appear in the Taluk office on 19.6.34, he sent a remittance of Rs. 79-1-6 on 21.6.34. As his failure to appear in the Taluk office caused some suspicion the Tahsildar directed the Revenue Inspector to proceed to the village at once and enquire and report into the cause of the heavy balance in that village The Revenue Inspector, after holding an enquiry in the village reported that the Potail had embezzled Government money The Potail was also in the meantime summoned to the Taluk office on 16.7.34 to appear with the money collected by him, but he ~~having~~ failed to appear in response to the summons, the Tahsildar requested the Station House Officer on 20.7.34 to hold investigation into the matter and lay a charge sheet against the Potail. As reported in this office Ref. C. No. 3545-34 dated 24th November 1934, the Police laid a charge sheet against the Potail on 15.10.34. As the Potail had been frequently sending remittances to the Treasury it was not possible for the Tahsildar to find out whether the Potail had embezzled Government money during that interval. The Potail was not under suspension for debt and was also not punished for any default during his short tenure of office. In view of the steady though slow remittances from the village between March and the end of May there was not reason to expect the Potail to embezzle an amount of Rs.286 which does not represent even a fifth of the village beriz.

2. The ex-Potail was appointed to the office by the Revenue Divisional Officer in his proceedings D.Dis. 5080-32 dated 18th February 1932. This order of appointment was based on the then Tahsildar's

recommendation which was to the effect that the value of the Potail's property after excluding all the encumbrances was about Rs.2,500/-. The Tahsildar states that the property of the Potail comprised in holdings Nos. 6 and 70 of Konaje village was sold in Court auction in March 1934 and that the fact of its sale came to his notice only after the property was notified for sale for the realisation of the embezzled amount. From the further enquiry held it is found that the Potail possessed S. Nos. 63/11 & 3 and 10 cents in S. No. 63/4 of Konaje on Mulgeni right and also half the share in S. No. 52/20 (i.e. 11½ cents) comprised in holding No. 55. This property appears to have been mortgaged to one Saraswathi Amma for Rs.1,000 in 1932. But the Potail sold on 6.1.33 his half share in S. No. 52/20 to one Subraya Bhatta and the value of the mulgeni property alone is estimated at Rs.300/-. As his share in S. No. 52/20 has been sold, the mulgeni property is hardly sufficient to realise the mortgage debt. There is therefore no chance of recovering the embezzled amount by proceeding against the ex-Potail's property.

3. In the circumstances stated above I request Board's sanction to write off the embezzled amount as irrecoverable.

Your obedient servant,

Collector.

G.T.D. 19

Embezzlement - (South Kanara) Mangalore Tq. Konaje village Postal. L. R. collections - Further report

Rly Reply C 2564/35 to R.D. dt 24/4/35

PP 15-17.4 C 1811/35 — Q

RC I to enter on 30/4/35

Rly C 5517.34-4 d. 26.3.35

... The collr is requested to report the result of the criminal case against the postal.

2/4/35

The Collr of South Kanara

25.3.35

DESPATCHED
28 MAR 1935

REGISTERED
Ref. 3545-A2--34.
MADRAS
MAY 1935
LAND REVENUE AND SETTLEMENT

South Kanara Collector's Office,
Mangalore, dated 28th April 1935.

From

E. M. Gawne, Esq. I.C.S.,
Collector of South Kanara.

To

The Secretary to the Board,
Land Revenue & Settlement,
Madras.

Sir,

Embezzlement--South Kanara--Mangalore Taluk--Konaje village--ex-Potail Krishna Bhatta--Land Revenue collection--criminal case.

Ref:- Board's Ref. C. No. 5517/34-4 dated 26th March 1935.

The criminal case against the ex-potail is pending, as he has not yet been arrested by the Police.

Your obedient servant,

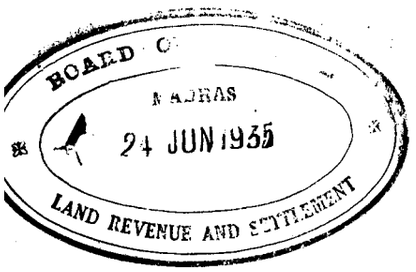
Gawne

Collector.

23

(4270)
5517/34

Ref. 3545--A2--34.



South Kanara Collector's Office,
Mangalore, dated 20th June 1935.

From

E. M. Gawne, Esq, I.C.S.,
Collector of South Kanara.

To

The Secretary to the Board,
Land Revenue & Settlement,
Madras.

Sir,

Embezzlement--Mangalore Taluk-- Konaje village--Ex-potail--Krishna Bhatta--Land Revenue collections--Criminal case--result--report submitted

2194 Ref:- Board's Ref. No. C. 5517/34-4 dated 26th March 1935.

The ex-Potail Krishna Bhatta was arrested on 27th May and put on his trial. He was convicted by the Sub Divisional Magistrate, Mangalore, under section 409 I.P.C. and sentenced to suffer rigorous imprisonment for one year. No fine was imposed as the man is a pauper.

Your obedient servant,

Gawne

Collector.

25

C.F.16.

DRAFT FOR APPROVAL

Date. Initials.

When received for fair copying .. ____

When copied .. ____

When examined.. ____

When signed .. ____

When despatched. ____

SUBJECT:— Embezzlement (South Kanara ~~[illegible]~~) Mangalore Tq- Konaje Village. L.R. collections. ex-postal - convicted - Writing off of the amount lost - collr comptd. - correspondence recorded.

READ AGAIN ____, dated ____ 19____

" " P12 y BDs Rpt; 19____

READ *ALSO*:—

No. ____ From the PP 15-174 C 1811/35 — Q to collr A. No. ~~[illegible]~~, dated ____ 19

____ " P19 y BDs Rpt & 263/35 — Q to collr "A to ~~[illegible]~~ " ____ 19

" ____ " P23 y C 4270/35 — Q to collr A; to ~~[illegible]~~ " ____ 19

~~Order~~ / Resolution ~~Mr.~~ / ~~Rout.~~ No (Ms.) 2491, dated 6.7.19

Recorded.

2. The collrs attention is invited to Appx 4 A of the M.F.A.C. under which he is himself competent to write off the loss in question

To

The collr of South Kanara

Copy to the Secy to Govt R.D

A.G. (T. Mysore)

NR 5/7

24/7/35

188 6.7.35

Issued NR 6.7.35

Note File

Embezzlement - (South Kanara) Mangalore Taluk - Konaje village - Postail - Land Rev. Collection - Report.

P1 cf ... C 5517/34

P2 cf ... Bds Referred 4.8.34

P3 cf ... C 6786/34.

P7 cf ... Bds Referred 15.9.34

PP 11.12 cf ... C 8870.

P12 cf ... Bds Referred 1-12-34

PP 15.17 cf ... C 1811/35-

To 1A.

The headman of Konaje village ~~in~~ Mangalore Tk, ~~has~~ embezzled a net amount of Rs 281-9-6 between 31st May 1934 and 14th July 1934. The circumstances in which the embezzlement was committed have been explained by the Coll. in para 1 of his letter at PP 15-16 cf. The headman has been dismissed from service & a charge sheet has been filed against him by the police. Though the criminal case was lodged on 15-10-34 it about 5 months back, further action seems to have been taken in the matter. The coll may perhaps be asked to see that the criminal case against the ex-patail is disposed

Para 2, PP 11.12 cf

Para 3, P12 cf.

of as expeditiously as possible. For orders.

2. The question about the recovery of the amount viz Rs 281-9-6 has also to be considered. Attention is, in this connection, invited to the other letters at pp 11-12 & 15-17 of. 91 is observed that the headman is heavily in debt & that for debts his properties are either sold or under mortgage ~~attachment in connection with these debts.~~

The headman was appointed to the office in February 1933 & his lands comprised in holding 6 & 70 were sold in auction in connection with his civil suit in March 1934 & the same lands were notified for sale by the Taluk on 22-9-34 in connection with the alleged embezzlement. ~~It is not clear why how the sale in March 1934 was referred to at p 11 of the Taluk Office but appeared to have come to the notice before September 1934~~ The headman has now no other property except the mulgeni property valued at Rs 300/- & the Asst considers that this is hardly sufficient to realise the mortgage debt, & requests sanction to write off the amount as irrecoverable in the circumstances stated.

Para 2, P16 of

Para 1, P11 of

p 16 of the yo.

For orders whether the Asst's proposal to write off the amount accepted under Appendix 44, M.F. I.A.C. Vol II, the Collr. co write off loss upto Rs 30 may be. ~~sanctioned~~ 'A' Section will please examine the question further with respect to portion marked A at P 12 of & para 2 of the

Sd
10/3/35

Collis letter at pp. 16-17 of.

CR
13/3/35.

14.3.35

Note for A. Section

Please see the amendments issued to B.S.O. 155 para 11. The "insolvency" referred to therein is a "declared insolvency". The headman in the present case does not appear to have been declared insolvent by a competent court.

Flag (T)

KB. As regards the portion marked A at p 12 of, it appears from Mr Collis's latest report that Mr Jaha came to know of Mr Foot's sale of the person's property comprised in Holdings nos 6 and 7 of Konaje Village only after it was notified for sale.

x para 2 of pp 16-17 of

15.3.35

Mr C. which has left — the Counsel case.

AW
22.3

To I.A.

IA
(this I.A. only)
25/3/35

to Collr
Dr abt [sub]. It is presumed that the Collr's present report at PP 15-17 ℄ need not be sub[m] to Govt & the Adg now,
and that the question of writing off the amount embezzled by the postal would be considered after the Collr's report on para 1 of the notes at (regarding criminal case)
P 1 N.F. [has been rec[d]

25/3/35

25/3/35

25.3.35

(Issued on BD' Rept. 26.3.35) P 19 ℄.

C 4270/35 P 23 ℄.

To I.A.

Please see the Collr's letter at PP 15-17 ℄ the notes & orders at PP 1-3 N.F. & the Collr's present report at P. 23 ℄. The ex-postal has since been convicted in the criminal case but no fine was imposed upon him as he is a pauper. In the [circumstances], it is for consideration whether the Collr may be asked to write off the amount (Rs 281-9-6) lost to Govt. The Collr is [competent] to write off losses upto Rs 300/- under Appx 4A of the M.E.A.C. Vol II. P. 23 ℄

For orders

The village headman has been dismissed from service. He has also been sentenced to 1 year's R.I.

p16 Vol II

under § 409 I.P.C. The Coll^r reports that there is no Chance of recovering the embezzled amount (Rs 281-9-6) from the ex postal Asst requests the Sanction of the Board to write off the amount as irrecoverable under Appendix 4-A to M.F. & A.C. Vol II. The Coll^r is competent to write off public money lost by fraud or neglect of individuals or other Causes upto a limit of Rs 300. In this Case, it seems the Coll^r is Competent to write off. He may be informed accordingly and the IRB 27.6.35] file Closed. For ord.

DR 28/6 S

Has not final rept got to go to Govt. also?

AW 2/7

Ref: Secys Query above.

Copies of the Coll^rs letter and the Bd's proceedings will be marked to Govt. and the A.G. for information

IRB 2.7.35 DR 4/7 S

AW 3/7

Sectt. II-15 (a)—35,000—9-11-34.

C 5620

SECY.
-8 JUL 35

Received 193 Registered 193

BOARD OF REVENUE
MADRAS
26 JUL 1935
LAND REVENUE AND SETTLEMENT

Abstract.

Embezzlement - South Kanara - Mangalore taluk - Konaji village - Land revenue collections - Ex-potail - Reports - Recorded.

To 1A.

Recorded & ptchs with the B.P. at (N).

Cr 29/7/35 — 29/7/35 — MR 30/7

Ms 2491 6.7.35

Revenue DEPARTMENT.

G.O. No. 1679 MS., dated 25th July 193 5.

READ the following paper:—

ENCLOSURES.

No. P2 of 4 (N)

P7 of - do -

P12 of - do -

P25 of 4 (N)

From the Board of Revenue, Land Revenue and Settlement, Ref.No.C.5517/34-1, dated the 4th August 1934.

From the ---------do;--------- C.5517/34-2, dated 15th September 1934.

From the ------do-------- No.C.5517/34-3, dated the 1st December 1934.

From the -------do------- B.P.2491, dated the 6th July 1935.

O R D E R :-

R e c o r d e d.

(By Order of the Governor in Council)

H.R.Uzielli

Secretary to Government.

To the Board of Revenue, Land Revenue and Settlement.
" Accountant-General (T.M.Secn) through Finance.
" Finance Department.

F o r w a r d e d.

(By Order)

Krishnan 27/7/35

Superintendent.

N.M.